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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,232	07/29/2003	Matthew J. Weigel	05165.1240	4763
7590 12/19/2005 BAKER & HOSTETLER LLP Suite 1100 1050 Connecticut Avenue, N.W. WASHINGTON, DC 20036			EXAMINER TALBOT, MICHAEL	
			ART UNIT 3722	PAPER NUMBER

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

TJm

Office Action Summary

Application No.

10/628,232

Applicant(s)

WEIGEL, MATTHEW J.

Examiner

Michael W. Talbot

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/16/04, 1/26/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Refer to page 6, paragraph [0022], line 8, the phrase "While a treaded bore is illustrated" should be changed to read --While a threaded bore is illustrated--.

Refer to page 8, paragraph [0027], line 2, the character reference "spring bore 52" should be changed to read --spring guide 52--.

Refer to page 8, paragraph [0027], line 5, the character reference "spring bore 52" should be changed to read --spring guide 52--.

Entire Specification - the character reference "adjustment screw 26" should be changed to read --seal screw 26-- to be consistent with the language presented in the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the fluid" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,5,6,11,13,16 and 18 rejected under 35 U.S.C. 102(b) as being anticipated by DE 4010177. DE 4010177 shows in Figure 1 valve (5), disposed between a fluid supply (via 16) and a socket (1) of a chuck, comprising a seal screw (11) having a first sealing surface (end at 17), a second sealing surface (tapered surfaces 4) in opposing relation to first sealing surface, and an elastomer seal ring (shown as darkened members on tapered surface of 4) disposed between a first and second sealing surfaces. DE 4010177 shows the valve configured to form a seal in response to a force less than or equal to the preload tension being exerted in line with the seal screw (via spring 8) and configured to allow the flow of fluid (via 18) between the first and second sealing surfaces in response to a force exceeding the preload tension (via spring 8) being exerted in line with the seal screw. Jensen '595 shows the valve further comprising a spring to generate the desired preload tension.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,5-11,13,14,16,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen '595 in view of Hinds '495. Jensen '595 shows in Figures 2 and 5 a valve (25), disposed between a fluid supply (via 94) and a socket (42) of a chuck, comprising a seal screw (30) having a first sealing surface (tapered head of 31) for modulating a preload tension and a second sealing surface (corresponding tapered surface of 32 at aperture 43) in opposing relation to first sealing surface. Jensen '595 shows the valve configured to form a seal

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in response to a force less than or equal to the preload tension being exerted in line with the seal screw and configured to allow the flow of fluid (100) between the first and second sealing surfaces in response to a force exceeding the preload tension being exerted in line with the seal screw (col. 5, line 57 through col. 6, line 45). Jensen '595 shows the valve further comprising a plurality in number and configuration of Belleville washers/disc springs (36) housed within a spring guide (bore in drive member 32), substantially equal to the outside diameter of the spring, to generate the desired preload tension. Jensen '595 lacks the presence of an elastomer seal ring disposed between the first and second sealing surfaces.

Hinds '495 shows an elastomer seal ring (36) disposed between a first sealing surface (12) and second sealing surface (26). In view of this teaching of Hinds '495, it would have been obvious to one of ordinary skill in the art to modify the valve of Jensen '595 to include an elastomer seal member taught by Hinds '495 to improve the sealing characteristic of the valve through a more pliable intermediate member thus reducing any potential for fluid escaping (col. 2, lines 41-45) between two less pliable members forming the valve.

Claims 3,4,12,15,17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen '595 in view of Hinds '495, further in view of Erikson '819. Jensen '595 in view of Hinds '495 lack a set screw configured to substantially control further adjustment of the seal screw (tightening or loosening) and for locking the desired preload tension.

Erikson '819 shows locking screws (36,37) acting on retainers (34,35) to limit the further adjustment of body (21) responsible for regulating the flow of fluid to the chuck (15). In view of this teaching of Erikson '819, it would have been obvious to one of ordinary skill in the art to modify the valve control feature of Jensen '595 in view of Hinds '495 to include set screw locking members taught by Erikson '819 to affixed the valve system in a desired orientation to

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achieve a consistent output and eliminating the need for extension monitoring once setting was achieved.

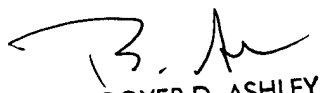
5. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mr. Boyer D. Ashley, may be reached at 571-272-4502.

In order to reduce pendency and avoid potential delays, group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 571-273-8300. This practice may be used for filling papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account.

Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.



Michael W. Talbot
Examiner
Art Unit 3722
9 December 2005



BOYER D. ASHLEY
PRIMARY EXAMINER